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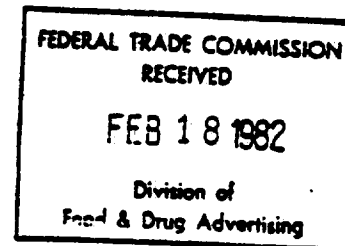
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February 16, 1982

BY HAND

Andrew Sacks, Esquire
Division of Advertising Practices
Bureau of Consumer Protection
Federal Trade Commission
Room 6124, Old Star Building
414 - 11th Street, N.W.
Washington, D.C. 20580



Re: Barclay Filter Investigation

Dear Mr. Sacks:

On behalf of Philip Morris Incorporated, we are transmitting herewith a memorandum prepared by the Philip Morris Research Center which responds to the questions regarding the Barclay filter raised by the Commission in its letters of December 15, 1981 addressed to attorneys for each of the cigarette companies. The memorandum answers those questions raised with respect to the scientific data previously submitted by Philip Morris, and the memorandum also discusses the cotinine experiment on which Brown & Williamson has relied.

In addition to this memorandum, we are submitting herewith the report of a leading independent testing organization, United States Testing Company, Inc., describing the results of an intensive study of cigarette dilution involving more than 500 smokers. This report strongly confirms the conclusion that the bypass filter used by Brown & Williamson on Barclay and other cigarette brands functions one way in the Commission's smoking machine and in an altogether different way in a smoker's lips. Barclay and similar products are the only cigarettes tested which show these abnormal

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characteristics. This study demonstrates dispositively that the Commission's current testing methodology does not assess Barclay's "tar" delivery accurately.

In response to the questions raised by the Commission in its letter of December 15 concerning the Brown & Williamson cotinine experiment, we are submitting herewith statements by three of the country's most distinguished experts on this subject. These authorities conclude that B&W's experiment is of no scientific value and does not support that company's arguments with respect to the "tar" delivery of Barclay.

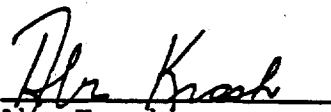
As we have previously stated to the Commission, Philip Morris believes that the serious threat to the integrity of the Commission's testing program posed by Barclay can be resolved by utilizing the holding device recommended by Philip Morris in the Commission's cigarette testing laboratory. Use of this holding device will ensure accurate and reliable comparative "tar" data for all cigarette brands.

We will endeavor to answer promptly any further questions which the Commission or the Staff may have regarding this matter.

Sincerely yours,

ARNOLD & PORTER

By


Abe Krash

Attorneys for Philip Morris
Incorporated

Enclosures

cc: Timothy J. Muris, Esquire
Wallace S. Snyder, Esquire

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